

# UNITED STATES PATENT AND TRADEMARK OFFICE

In re Arkion Life Sciences  
Request for Patent Term Extension  
U.S. Patent No. 4,600,706


:  
: **ORDER GRANTING**  
: **INTERIM EXTENSION**

On May 13, 2004, Arkion Life Sciences, the owner of record in the United States Patent and Trademark Office of U.S. Patent No. 4,600,706, filed an application under 35 U.S.C. § 156, requesting an extension of five years. The patent was previously extended for a period of one year pursuant to 35 U.S.C. 156(d)(5), from November 17, 2003 until November 17, 2004, and for a second year pursuant to 35 U.S.C. 156(e)(2), from November 17, 2004 until November 17, 2005. The patent claims a method of use of natamycin, an additive contained in the animal feed product "NSURE®." The application indicates that the product has undergone a regulatory review under Section 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 355) before the first permitted commercial use or sale of the product.

Review of the application indicates that the subject patent is eligible for an extension of the patent term under 35 U.S.C. § 156. Since it is apparent that processing of the application for patent term extension will not be completed before the extended expiration date of the patent, interim extension of the patent term is appropriate.

An interim extension under 35 U.S.C. § 156(e)(2) of the term of U.S. Patent No. 4,600,706 is granted for a period of one year from the extended expiration date of the patent, until November 17, 2006.

10/18/05  
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Date

  
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Jon W. Dudas  
Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office